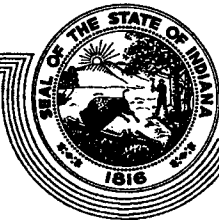


STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

IN THE MATTER OF THE COMPLAINT)
OF NATIONAL STARCH, ALLIANCE, AND)
PINNACLE AGAINST THE BOARD OF)
DIRECTORS FOR UTILITIES OF THE)
DEPARTMENT OF PUBLIC UTILITIES OF)
CITY OF INDIANAPOLIS, AS SUCCESSOR)
TRUSTEE OF A PUBLIC CHARITABLE)
TRUST D/B/A CITIZENS GAS & COKE)
UTILITY, FOR ENFORCEMENT OF)
SETTLEMENT AGREEMENT AND FOR)
DETERMINATION OF JUST AND)
REASONABLE RATES IN CONNECTION)
WITH BILLING DISPUTE)

RESPONDENT:)
THE BOARD OF DIRECTORS FOR)
UTILITIES OF THE DEPARTMENT OF)
PUBLIC UTILITIES OF THE CITY OF)
INDIANAPOLIS, AS SUCCESSOR TRUSTEE)
OF A PUBLIC CHARITABLE TRUST D/B/A)
CITIZENS GAS & COKE UTILITY)

FILED

AUG 03 2004

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42578

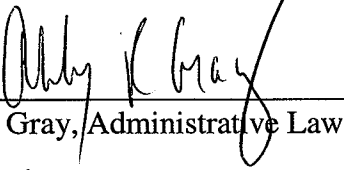
You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On July 19, 2004, Respondent Citizens Gas filed a Motion to Compel Discovery Responses from Complainants, and a Brief in Support of Motion to Compel. On August 2, 2004, the presiding judge issued a docket entry granting the Motion to Compel and citing Complainants, Transportation Group did not file a response within 10 days. On August 2, 2004, Complainants filed a Motion to Reconsider Docket Entry on the basis that the Motion to Compel was served by mail and therefore, the Response to the Motion to Compel was not due until August 2, 2004.

The presiding judge conducted a conference call with the attorneys for Complainants and Respondent regarding discovery and the procedural schedule. The attorneys agreed that the response to the Motion to Compel would be due August 2, 2004. Therefore, the presiding administrative law judge, having reviewed the Motion and being duly advised in the premises, hereby GRANTS the Motion to Reconsider.


Respondent Citizens Gas has until August 9, 2004 to file its Reply to Complainant's Response to the Motion to Compel. Because it will not be possible to rule on the Motion to Compel prior to the evidentiary hearing date, the presiding judge finds that the hearing should be continued to a date to be set in a subsequent entry. As a result of the continuance of the hearing, Complainants should have a one-week's extension to file its rebuttal testimony.

IT IS SO ORDERED.



Abby R. Gray, Administrative Law Judge

Date August 3, 2004



Nancy E. Manley, Secretary to the Commission